

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
McAllen Division

JORGE GAMBOA,	§	CIVIL ACTION NO. 7:17-CV-26
Individually and on Behalf of All	§	
Wrongful Death Beneficiaries of	§	
ELIAS GAMBOA MEZA, Deceased,	§	
	§	
<i>Plaintiff,</i>	§	
	§	
	§	
<i>v.</i>	§	
	§	
	§	
WALGREEN NATIONAL	§	
CORPORATION d/b/a WALGREENS,	§	
	§	
<i>Defendant.</i>	§	JURY DEMANDED

AGREED STIPULATION OF DISMISSAL WITH PREJUDICE

Now Comes Plaintiff, Jorge Gamboa, Individually and on Behalf of All Wrongful Death Beneficiaries of Elias Gamboa Meza, Deceased, Defendant, Walgreen National Corporation, d/b/a Walgreens, (incorrectly named, and hereinafter referred to as "Walgreen Co," or "Defendant"), and Intervenors Estella Martinez, Rogelio Martinez, and Jamal Saih, Individually and as Sole Heirs of the Estate of Claudia Martinez, Deceased, and Olivia Longoria and Rogelio Longoria, and files this, the Parties' Agreed Stipulation and Dismissal with Prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and would show the Court as follows:

1. On December 22, 2016, Plaintiff, Jorge Gamboa, Individually and on Behalf of All Wrongful Death Beneficiaries of Elias Gamboa Meza, Deceased sued Defendant.
2. Plaintiff, Jorge Gamboa, Individually and on Behalf of All Wrongful Death Beneficiaries of Elias Gamboa Meza, Deceased's moves to dismiss his suit only.
3. Defendant agrees to the dismissal of Jorge Gamboa, Individually and on Behalf of All Wrongful Death Beneficiaries of Elias Gamboa Meza, Deceased's claims.
4. Intervenor Estella Martinez, Rogelio Martinez, and Jamal Saih, Individually and as Sole Heirs of the Estate of Claudia Martinez, Deceased, and Olivia Longoria and Rogelio Longoria agree to the dismissal of Jorge Gamboa, Individually and on Behalf of All Wrongful Death Beneficiaries of Elias Gamboa Meza, Deceased's claims, and are dropping the "Intervenor's Objection to Dismissal", filed on August 25, 2017.
5. This case is not a class action.
6. A Receiver has not been appointed in this case.
7. This case is not governed by any federal statute that requires a court order for the dismissal of Jorge Gamboa, Individually and on Behalf of All Wrongful Death Beneficiaries of Elias Gamboa Meza, Deceased's case.

8. Plaintiff has not previously dismissed any federal court or state court suit based on or including the same claims as those presented in this case.
9. This dismissal is *with* prejudice to re-filing.
10. This dismissal does not affect the claims or this case as between Intervenor and Defendant.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the above and foregoing has been forwarded to all counsel of record on this the 13th day of September, 2017.

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